

Application No. 10/575,037
Amendment Dated October 8, 2008
Reply to Office Action of September 9, 2008

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Applicant herein elects Species A illustrated in Figures 1A-1E and 5A-5K, with traverse.

Applicant believes claims 1, 30, 31, 33-40 and 44-47 read on the elected species.

REMARKS

In the Office Action dated September 9, 2008, claims 1 and 30-47 were subjected to a Restriction/Election Requirement by the Examiner. In response, Applicant has herein elected Species A shown in Figures 1A-1E and 5A-5K for further prosecution. Applicant has also indicated that it believes claims 1, 30, 31, 33-40 and 44-47 read on the elected species. Applicant, however, respectfully traverses the Examiner's requirement for the following reasons.

Claim 1 is a broad generic claim which covers all of the described embodiments. It refers to a "latching blocking mechanism" *per se* which is capable of being used in a variety of circumstances. Such a mechanism is shown in Figures 1A to 1E. The mechanisms of Figures 2A to 2F, 3A to 3D and 4A to 4D all operate on the same principal and differ from the mechanism of Figures 1A to 1E in only minor configurational details.

Following the explanation of the latching blocking mechanism, the specification then goes on to give various examples of how that mechanism can be used. The embodiments relate to the variations of the mechanism as shown in the first group of figures but all use the same basic principals.

The examiner is certainly correct in that the mechanism of Figures 2A to 2F is not identical to the mechanism of Figures 1A to 1E. The difference is self-evident; in Figures 1A to 1E there is a lateral projection 23 defining a cam face 25 engageable with a shoulder 12 on an adjacent guide 10. By contrast, in Figures 2A to 2F, the guide 10 is formed with a lateral projection 32 providing a cam surface 33, engageable with the rounded forward end 31 of the control member and which therefore serves as the "abutment".

Clearly, the two mechanisms (that is, the mechanisms of Figures 1A to 1E and Figures 2A to 2F) have identical functionality; it is just a matter of whether the camming surface is formed on the control member and the abutment on the guide, or the camming surface is formed on the guide and the abutment on the control member. These are obvious equivalents and were the specification to contain only the mechanisms of Figures 1 and 2, undoubtedly there would have been no election requirement made. Thus, it cannot be accepted that "these species are not obvious variants of each other based on the current record" as indicated by the

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examiner in making the election requirement. Further, the examiner categorically is incorrect when saying that "no claims are generic" in that claim 1 manifestly covers all of the mechanisms of Figures 1 to 4 and moreover all of the devices of Figures 5 to 10, bearing in mind that those devices incorporate the mechanisms of Figures 1 to 4.


Having regard to the above, it is requested that the Examiner withdraw the Restriction/Election Requirement due to the unity of inventive concept and the generic nature of claim 1.

Applicant reserves its right to file a divisional application on any of the non-elected species. Accordingly, unless the Examiner agrees with Applicant's traversal of the Restriction/Election Requirement, claims 32, 41, 42 and 43 are hereby withdrawn from further prosecution as being directed toward a non-elected invention.

An effort has been made to place this application in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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